In the claims

Claim 1 (Cancelled)

2. (Previously Presented) A method for making a protected MEMS structure, comprising:

(a) preparing a MEMS wafer having a plurality of MEMS structure sites thereon;

(b) mounting, upon the MEMS wafer, a spacer layer having a thickness to prevent electrostatically induced damage to the MEMS wafer and being perforated in areas corresponding to locations of the MEMS structure sites on the MEMS wafer, the spacer layer comprising a tape having adhesive on two sides and a flexible film; and

(c) mounting, upon the spacer layer, a wafer cap to produce a laminated MEMS wafer.

Claim 3 (Cancelled)

4. (Original) The method as claimed in claim 2, wherein the flexible film is transmissive to UV radiation.

Claims 5-7 (Cancelled)

8. (Original) The method as claimed in claim 2, wherein the wafer cap is a cover tape.

Claim 9 (Cancelled)

10. (Original) The method as claimed in claim 4, wherein the wafer cap is a cover tape.

Claims 11-12 (Cancelled)

13. (Previously Presented) The method as claimed in 2, wherein the spacer layer has a thickness to prevents the wafer cap from deflecting in such a manner to damage the MEMS structures.

Claim 14 (Cancelled)

15. (Previously Presented) The method as claimed in 4, wherein the spacer layer has a thickness to prevents the wafer cap from deflecting in such a manner to damage the MEMS structures.

Claims 16-18 (Cancelled)

19. (Previously Presented) The method as claimed in 8, wherein the spacer layer has a thickness to prevents the wafer cap from deflecting in such a manner to damage the MEMS structures.

Claim 20 (Cancelled)

21. (Previously Presented) The method as claimed in 10, wherein the spacer layer has a thickness to prevents the wafer cap from deflecting in such a manner to damage the MEMS structures.

Claim 22 (Cancelled)

23. (Original) The method as claimed in claim 2, wherein the flexible film is about 40 mils thick.

Claim 24 (Cancelled)

25. (Original) The method as claimed in claim 2, wherein the flexible film and tape are combined and then cut to produce areas corresponding to the MEMS structures on the MEMS wafer.

26. (Original) The method as claimed in claim 2, wherein the flexible film and tape are combined and then cut by a laser to produce areas corresponding to the MEMS structures on the MEMS wafer.

27. (Original) The method as claimed in claim 2, wherein the flexible film and tape are combined and then punched to produce areas corresponding to the MEMS structures on the MEMS wafer.

28. (Original) The method as claimed in claim 2, wherein the flexible film and tape are pre-cut to produce areas corresponding to the MEMS structures on the MEMS wafer before being combined.

29. (Original) The method as claimed in claim 2, wherein the flexible film and tape are pre-punched to produce areas corresponding to the MEMS structures on the MEMS wafer before being combined.

30. (Original) The method as claimed in claim 25, wherein the flexible film and tape are combined using pressure to promote adhesion.

Claim 31 (Cancelled)

32. (Previously Presented) A method for making a protected MEMS structure, comprising:

(a) preparing a MEMS wafer having a plurality of MEMS structure sites thereon;

(b) mounting, upon the MEMS wafer, a spacer layer having a thickness to prevent a wafer cap from coming into physical contact with the MEMS wafer and being perforated in areas corresponding to locations of the MEMS structure sites on the MEMS wafer, the spacer layer comprising a tape having adhesive on two sides and a flexible film; and

(c) mounting, upon the spacer layer, a wafer cap to produce a laminated MEMS wafer.

Claim 33 (Cancelled)

34. (Original) The method as claimed in claim 32, wherein the flexible film is transmissive to UV radiation.

Claims 35-36 (Cancelled)

37. (Currently Amended) The method as claimed in claim 32, wherein the ~~cover tape~~ flexible film comprises a static dissipative material.

38. (Original) The method as claimed in claim 32, wherein the wafer cap is a cover tape.

Claim 39 (Cancelled)

40. (Original) The method as claimed in claim 34, wherein the wafer cap is a cover tape.

Claim 41 (Cancelled)

42. (Original) The method as claimed in claim 32, wherein the flexible film is about 40 mils thick.

43. (Previously Presented) The method as claimed in claim 32, wherein the spacer layer comprises a plurality of layers of perforated tape, an aggregate of the plurality of layers of perforated tape producing a thickness to prevent the wafer cap from coming into physical contact with the MEMS wafer.

44. (Original) The method as claimed in claim 32, wherein the flexible film and tape are combined and then cut to produce areas corresponding to the MEMS structures on the MEMS wafer.

45. (Original) The method as claimed in claim 32, wherein the flexible film and tape are combined and then cut by a laser to produce areas corresponding to the MEMS structures on the MEMS wafer.

46. (Original) The method as claimed in claim 32, wherein the flexible film and tape are combined and then punched to produce areas corresponding to the MEMS structures on the MEMS wafer.

47. (Original) The method as claimed in claim 32, wherein the flexible film and tape are pre-cut to produce areas corresponding to the MEMS structures on the MEMS wafer before being combined.

48. (Original) The method as claimed in claim 44, wherein the flexible film and tape are pre-punched to produce areas corresponding to the MEMS structures on the MEMS wafer before being combined.

49. (Previously Presented) The method as claimed in claim 32, wherein the flexible film and tape are combined using pressure to promote adhesion.

Claim 50 (Cancelled)

51. (Previously Presented) A method for making a protected MEMS structure, comprising:

(a) preparing a MEMS wafer having a plurality of MEMS structure sites thereon;

(b) mounting, upon the MEMS wafer, a spacer layer having a thickness to prevent electrostatically induced damage to the MEMS wafer and to prevent a wafer cap from coming into physical contact with the MEMS wafer and being perforated in areas corresponding to locations of the MEMS structure sites on the MEMS wafer, the spacer layer comprising a tape having adhesive on two sides and a flexible film; and

(c) mounting, upon the spacer layer, a wafer cap to produce a laminated MEMS wafer.

Claim 52 (Cancelled)

53. (Original) The method as claimed in claim 51, wherein the flexible film is transmissive to UV radiation.

Claims 54-56 (Cancelled)

57. (Original) The method as claimed in claim 51, wherein the wafer cap is a cover tape.

Claim 58 (Cancelled)

59. (Original) The method as claimed in claim 53, wherein the wafer cap is a cover tape.

Claim 60 (Cancelled)

61. (Original) The method as claimed in claim 51, wherein the flexible film is about 40 mils thick.

Claim 62 (Cancelled)

63. (Original) The method as claimed in claim 51, wherein the flexible film and tape are combined and then cut to produce areas corresponding to the MEMS structures on the MEMS wafer.

64. (Original) The method as claimed in claim 51, wherein the flexible film and tape are combined and then cut by a laser to produce areas corresponding to the MEMS structures on the MEMS wafer.

65. (Original) The method as claimed in claim 51, wherein the flexible film and tape are combined and then punched to produce areas corresponding to the MEMS structures on the MEMS wafer.

66. (Original) The method as claimed in claim 51, wherein the flexible film and tape are pre-cut to produce areas corresponding to the MEMS structures on the MEMS wafer before being combined.

67. (Original) The method as claimed in claim 51, wherein the flexible film and tape are pre-punched to produce areas corresponding to the MEMS structures on the MEMS wafer before being combined.

68. (Original) The method as claimed in claim 63, wherein the flexible film and tape are combined using pressure to promote adhesion.

Claims 69-81 (Cancelled)

82. (Previously Presented) A laminated MEMS wafer, comprising:

a MEMS wafer having a plurality of MEMS structure sites located thereon;

a spacer layer mounted upon the MEMS wafer, the spacer layer being perforated in areas corresponding to locations of the MEMS structure sites on the MEMS wafer; and

a wafer cap mounted upon said spacer layer to produce a laminated MEMS wafer;

said spacer layer having a thickness to prevent electrostatically induced damage to said MEMS wafer;

said spacer layer comprising a tape having adhesive on two sides and a flexible film.

Claim 83 (Cancelled)

84. (Original) The laminated MEMS wafer as claimed in claim 82, wherein said flexible film is transmissive to UV radiation.

Claim 85-88 (Cancelled)

89. (Original) The laminated MEMS wafer as claimed in claim 82, wherein said flexible film is about 40 mils thick.

Claim 90 (Cancelled)

91. (Original) The laminated MEMS wafer as claimed in claim 82, wherein said flexible film and tape are combined and then cut to produce areas corresponding to the MEMS structures on said MEMS wafer.

92. (Original) The laminated MEMS wafer as claimed in claim 82, wherein said flexible film and tape are combined and then punched to produce areas corresponding to the MEMS structures on said MEMS wafer.

93. (Original) The laminated MEMS wafer as claimed in claim 82, wherein said flexible film and tape are pre-cut to produce areas corresponding to the MEMS structures on said MEMS wafer before being combined.

94. (Original) The laminated MEMS wafer as claimed in claim 82, wherein said flexible film and tape are pre-punched to produce areas corresponding to the MEMS structures on said MEMS wafer before being combined.

95. (Original) The laminated MEMS wafer as claimed in claim 91, wherein said flexible film and tape are combined using pressure to promote adhesion.

Claim 96 (Cancelled)

97. (Previously Presented) A laminated MEMS, comprising:

a MEMS wafer having a plurality of MEMS structure sites located thereon;

a spacer layer mounted upon the MEMS wafer, the spacer layer being perforated in areas corresponding to locations of the MEMS structure sites on the MEMS wafer; and

a wafer cap mounted upon said spacer layer to produce a laminated MEMS wafer;

said spacer layer having a thickness to prevent damage to the MEMS structures due to said wafer cap coming into physical contact with said MEMS wafer;

said spacer layer comprising a tape having adhesive on two sides and a flexible film.

Claim 98 (Cancelled)

99. (Original) The laminated MEMS wafer as claimed in claim 97, wherein said flexible film is transmissive to UV radiation.

Claims 100-101 (Cancelled)

102. (Original) The laminated MEMS wafer as claimed in claim 97, wherein said flexible film is about 40 mils thick.

103. (Previously Presented) The laminated MEMS wafer as claimed in claim 97, wherein said spacer layer comprises a plurality of layers of perforated tape, an aggregate of the plurality of layers of perforated tape producing a thickness to prevent damage to the MEMS structures due to said wafer cap coming into physical contact with said MEMS wafer.

104. (Original) The laminated MEMS wafer as claimed in claim 97, wherein said flexible film and tape are combined and then cut to produce areas corresponding to the MEMS structures on said MEMS wafer.

105. (Original) The laminated MEMS wafer as claimed in claim 97, wherein said flexible film and tape are combined and then punched to produce areas corresponding to the MEMS structures on said MEMS wafer.

106. (Original) The laminated MEMS wafer as claimed in claim 97, wherein said flexible film and tape are pre-cut to produce areas corresponding to the MEMS structures on said MEMS wafer before being combined.

107. (Original) The laminated MEMS wafer as claimed in claim 97, wherein said flexible film and tape are pre-punched to produce areas corresponding to the MEMS structures on said MEMS wafer before being combined.

108. (Original) The laminated MEMS wafer as claimed in claim 104, wherein said flexible film and tape are combined using pressure to promote adhesion.

Claim 109 (Cancelled)

110. (Previously Presented) A laminated MEMS wafer, comprising:

a MEMS wafer having a plurality of MEMS structure sites located thereon;

a spacer layer mounted upon the MEMS wafer, the spacer layer being perforated in areas corresponding to locations of the MEMS structure sites on the MEMS wafer; and

a wafer cap mounted upon said spacer layer to produce a laminated MEMS wafer;

said spacer layer having a thickness to prevent said wafer cap from coming into physical contact with said MEMS wafer and to prevent electrostatically induced damage to said MEMS wafer;

said spacer layer comprising a tape having adhesive on two sides and a flexible film.

Claim 111 (Cancelled)

112. (Original) The laminated MEMS wafer as claimed in claim 110, wherein said flexible film is transmissive to UV radiation.

Claims 113-114 (Cancelled)

115. (Original) The laminated MEMS wafer as claimed in claim 110, wherein said flexible film is about 40 mils thick.

Claim 116 (Cancelled)

117. (Original) The laminated MEMS wafer as claimed in claim 110, wherein said flexible film and tape are combined and then cut to produce areas corresponding to the MEMS structures on said MEMS wafer.

118. (Original) The laminated MEMS wafer as claimed in claim 110, wherein said flexible film and tape are combined and then punched to produce areas corresponding to the MEMS structures on said MEMS wafer.

119. (Original) The laminated MEMS wafer as claimed in claim 110, wherein said flexible film and tape are pre-cut to produce areas corresponding to the MEMS structures on said MEMS wafer before being combined.

120. (Original) The laminated MEMS wafer as claimed in claim 110, wherein said flexible film and tape are pre-punched to produce areas corresponding to the MEMS structures on said MEMS wafer before being combined.

121. (Original) The laminated MEMS wafer as claimed in claim 117, wherein said flexible film and tape are combined using pressure to promote adhesion.

Claims 122-123 (Cancelled)

124. (Previously Presented) The method as claimed in claim 32, wherein the wafer cap comprises a static dissipative material.

125. (Previously Presented) The method as claimed in claim 32, wherein the spacer layer comprises a static dissipative material.

Claims 126-132 (Cancelled)

133. (Previously Presented) The laminated MEMS wafer as claimed in claim 97, wherein the wafer cap comprises a static dissipative material.

134. (Previously Presented) The laminated MEMS wafer as claimed in claim 97, wherein the spacer layer comprises a static dissipative material.

Claims 135-141 (Cancelled)

142. (Previously Presented) The laminated MEMS wafer as claimed in claim 97, further comprising:

a contiguous tape applied to a backside of said MEMS wafer, the backside of said MEMS wafer being a side opposite of a side having said wafer cap located thereon.

143. (Original) The laminated MEMS wafer as claimed in claim 142, wherein said contiguous tape is applied to the backside of said MEMS wafer after the laminated MEMS wafer is sawn.

Claims 144-145 (Cancelled)